Opening Statement at the Peer-to-Peer Assistance Exercise on the Implementation of Export and Border Control Obligations Under resolution 1540 (2004)

[On behalf of/by] H.E. Eloy Alfaro de Alba,
1540 Committee Chair, Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Panama to the United Nations
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Excellencies, distinguished participants, ladies and gentlemen,

On behalf of the Committee established pursuant to Security Council resolution 1540 (2004), I wish to express appreciation to the Government of the Republic of South Africa for the invitation to participate in this Peer-to-Peer Assistance Exercise organised in collaboration with the Government of the Republic of Botswana with the support of the UN Office for Disarmament Affairs (UNODA).

The unanimous adoption of resolution 1540 (2004) by the Security Council more than 21 years ago represents a pivotal moment in international efforts to strengthen the non-proliferation architecture. By addressing the threat posed by non-State actor proliferation, particularly for terrorist purposes, this resolution fills important gaps in the non-proliferation regime.

The resolution does not seek to replace or alter existing instruments. This complementary role has again been reaffirmed in resolution 2663 adopted on 30 November 2022, which notes that none of the obligations under resolution 1540 shall be interpreted so as to conflict with or alter the rights and obligations of State Parties to the Nuclear Non-Proliferation Treaty (NPT), the Chemical Weapons

Convention (CWC) and the Biological and Toxin Weapons Convention (BWC) or to alter the responsibilities of the International Atomic Energy Agency (IAEA) and the Organisation for the Prohibition of Chemical Weapons (OPCW).

It is important to recall that resolution 1540 (2004) affirms that the prevention of proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes, while the goals of peaceful utilisation should not be used as a cover for proliferation.

Experience has shown that non-State actors can exploit the territory of any State, for example, using it for illicit trafficking, illegal financing activities, or to broker the sale in third countries, of materials, equipment and technologies that can be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery. No State is therefore immune to such risks, and all States should take the requisite steps by adopting and enforcing appropriate effective national implementation measures in support of this global effort.

Resolution 1540 (2004) recognizes that States may require assistance in implementing the provisions of the resolution. In this context, resolution 2325 (2016) emphasizes the importance of providing States, in response to their requests, with effective assistance that meets their needs. It also urges the 1540 Committee to continue to strengthen its role in facilitating technical assistance for the implementation of resolution 1540 (2004), by engaging actively in matching offers and requests for assistance.

In response to Botswana's assistance request of 2021, I am pleased to note the offers of assistance which were submitted by States, including Japan, South Africa and several international organisations, through the 1540 Committee's assistance mechanism, have since then led to various activities being conducted in support of Botswana's implementation efforts.

While implementation remains a national responsibility, the threat of non-state actor proliferation and illicit trafficking transcends national boundaries and can only be effectively prevented through international cooperation. In this regard, peer-to-peer exercises have been useful in addressing areas of opportunity in terms of implementation, as well as in sharing knowledge and experience between participating Member States.

I commend the Governments of Botswana and South Africa for the actions they have already taken to strengthen the implementation of the resolution 1540 and for the initiative and commitment to engage in this peer-to-peer exercise.

On behalf of the 1540 Committee, I wish all participants a successful and fruitful event.

Thank you for your attention.